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February 21, 2003

VIA ELECTRONIC FILING

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TWB-204
Washington, DC 20554

Re: Notice of Ex Parte Presentation
In the Matter of Review of Section 251 Unbundling Obligations of Incumbent
Local Exchange Carriers and Implementation of the Local Competition Provisions
in the Local Telecommunications Act of 1996, CC Docket Nos. 01-338; 96-98;
98-147

In the Matter of Appropriate Framework for Broadband Access to the Internet
Over Wireline Facilities, CC Docket Nos. 02-33; 95-20; 98-10

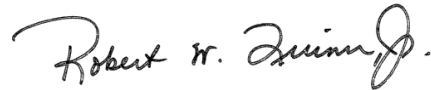
Dear Ms. Dortch,

On Friday February 14, 2003, I spoke on the telephone to Jordan Goldstein, Commissioner Capps' Senior Legal Adviser, three times. At Mr. Goldstein's request, I clarified evidence already in the record related to the aforementioned proceedings. During the course of those discussions, I explained AT&T's position on the necessity of requiring the unbundling of switching until the significant economic impairments that AT&T has identified in the record of the Triennial Review are addressed and eliminated. The process of identifying those impairments and whether they have been removed can only be conducted on a market-by-market basis and cannot be determined in a national proceeding. Rather, state commissions must be left with the authority to conduct that granular analysis based upon local facts and conditions. If the Commission here adopts presumptions with respect to any network element, the states must be permitted, based on evidence adduced in a state proceeding, to issue contrary findings and determine a state-specific list of UNEs without having to resort back to the Commission for authority. In that respect, I also discussed with Mr. Goldstein the NARUC proposal filed on February 6, 2003 and explained AT&T's support for the presumptions contained in that proposal.

I also stated that the Commission here should find that the record requires on a nationwide basis that carriers are impaired without access to all UNEs previously identified without limitations such as the ones that exist in the switching and combination areas. I also stated that pricing of those UNEs should continue to be done by the states. In addition, I underscored the importance of preserving CLEC access to ILEC loop facilities, and identified operational and cost barriers to competition that would result if CLECs were relegated to copper facilities as ILECs introduce additional fiber into existing loop plant. Specifically, we discussed the possibility of service disruption if the ILECs were permitted to "migrate" CLEC voice or data customers from fiber to copper facilities at their discretion.

The positions expressed in the discussions were exempt in accordance with Commission Rules 47 C.F.R. 1.1204 and 1.1206 because those conversations elicited no new information and were entirely consistent with AT&T's Comments, Reply Comments and ex parte filings previously made in the aforementioned dockets. One electronic copy of this Notice is being submitted for each of the referenced proceedings in accordance with the Commission's Rules for electronic filings.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Quinn". The signature is fluid and cursive, with a large initial "R" and "Q".

cc: Jordan Goldstein